

1939, ch. 313.

543. Any person, except the duly authorized agent of a railroad company maintaining offices within this State, who shall buy or sell or engage in the business of buying and selling railroad tickets or the unused portions thereof, or who acts as vendor or broker of whole or partially used railroad tickets, or who solicits personally or by sign or advertisement or otherwise for the buying and selling of said tickets, or who aids or abets in the buying and selling thereof within the State of Maryland shall be deemed guilty of a misdemeanor and, upon a conviction thereof, fined not more than one hundred dollars (\$100.) or sentenced to not more than six months imprisonment, or both. Each act of buying or selling as aforesaid shall be deemed a separate offense. The State's Attorney of the county or the City of Baltimore, in which a violation of this Section may occur, shall initiate prosecutions hereunder and shall be charged with the duty of enforcing this Section.

### Rape.

An. Code, 1924, sec. 466. 1912, sec. 420. 1904, sec. 368. 1888, sec. 232. 1809, ch. 138, sec. 4. 1935, ch. 284.

544. Every person convicted of the crime of rape or as being accessory thereto before the fact shall, at the discretion of the Court, suffer death, or be sentenced to confinement in the Penitentiary for the period of his natural life, or undergo a confinement in the Penitentiary for not less than eighteen months nor more than twenty-one years; and penetration shall be evidence of rape, without proof of emission.

Where there are two counts in an indictment, the first charging rape and the second an assault with intent to rape, and the jury finds traverser guilty of the charge in first count without passing upon second count, the verdict is sufficient, the minor offense being merged. *Stevens v. State*, 66 Md. 202. Cf. *State v. Sutton*, 4 Gill, 494. And see *Burk v. State*, 2 H. & J. 426.

An. Code, 1924, sec. 467. 1912, sec. 421. 1904, sec. 369. 1888, sec. 233. 1809, ch. 138, sec. 4. 1890, ch. 410. 1892, ch. 204.

545. If any person shall carnally know and abuse any woman child under the age of fourteen years, or knowingly carnally know and abuse any woman who is an imbecile, *non compos mentis* or insane, of any age whatever, every such carnal knowledge shall be deemed felony, and the offender being convicted thereof shall at the discretion of the court suffer death or imprisonment for life in the penitentiary, or for a definite period, not less than eighteen months nor more than twenty-one years.

Prosecuting witness in an indictment for assault with intent to commit rape held not to be an imbecile within meaning of this section; indictment did not so charge. *Hill v. State*, 143 Md. 365.

Cited but not construed in *Baum v. Warden of Jail*, 110 Md. 581.

An. Code, 1924, sec. 468. 1912, sec. 422. 1904, sec. 370. 1898, ch. 218, sec. 233A.

546. If any person shall carnally know any female not his wife, between the ages of fourteen and sixteen years, such carnal knowledge shall be deemed a misdemeanor and the offender being convicted thereof shall be punished by imprisonment in the house of correction for a term not exceeding two years, or be fined in a sum not exceeding five hundred dollars, or be both fined and imprisoned in the discretion of the court; provided, that nothing in this section contained shall be construed to affect or interfere with the law relating to the crime of rape as now in force in